In the first opinion in the principal case, the court seems to rest in part on the doctrine of constructive intent, as applied to the violation of the speed law. The inappropriateness of this doctrine is made clear by *Commonwealth* v. *Adams,* 114 Mass. 323 (cited with approval in 177 Ind. 619, 629), and by the opinion of the Court of Errors in the case of *State* v. *Schutte, supra.* See also 17 MICH. L. REV. 603.

DAMAGES — TIPS INCLUDED IN ESTIMATING DAMAGES OF AN EMPLOYEE WRONGFULLY DISMISSED.—The plaintiff was employed as a hair dresser by the defendant, and in the ordinary course of his service he received tips from the persons whom he attended. The defendant wrongfully dismissed him. *Held,* that the plaintiff was entitled to include the loss of tips in the damages claimed as a result of the wrongful dismissal. *Manubens* v. *Leon* [1919], 1 K. B. 208.

The case involves a somewhat unique application of a familiar principle. The damages recoverable on a breach of contract are said to include such as may reasonably be considered as arising naturally from the breach of the contract itself or such as may reasonably be supposed to have entered into the contemplation of the parties when they made the contract. *Hadley* v. *Baxendale* (1854), 9 Exch. 341. The application of this general principle to cases involving loss of tips seems to be an open question on authority. There are a few analogies. It has been held, for example, that where the practice of tipping is open, notorious, and sanctioned by the employer, such gratuities may be included in estimating the "average weekly earnings" in respect of which compensation is awarded under the English Workmen's Compensation Act of 1906. *Penn* v. *Spiers & Bond* [1908], 1 K. B. 766; *Great Western Railway Co.* v. *Helps* [1918], A. C. 141. It has also been held that an employee who turns over the tips received to his employer, under a mistake as to his rights, may compel the employer to make restitution. *Zappas* v. *Roumeliote* (1912), 156 Ia. 709; *Polites* v. *Barlin* (1912), 149 Ky. 376. So long as an indulgent public is willing to tolerate the tipping system, it would seem on principle that the law ought to take account of this kind of remuneration in estimating the damages to be awarded for breach of a service contract.

FIRES—TRACTOR ON HIGHWAY — DANGEROUS AGENCY — DOCTRINE OF RYLANDS V. FLETCHER.—A steam engine (presumptively of the nature of a steam tractor) was being driven by defendant along a highway and sparks emitted from the engine set fire to plaintiff's premises. The engine was equipped with a special apparatus to prevent the emission of sparks. *Held,* that since defendant was using a "dangerous fire-producing engine," the doctrine of *Rylands* v. *Fletcher,* L. R. 3 H. L. 330, and *Gunter* v. *James,* 24 Times L. R. 868, was applicable; hence defendant was liable in damages for the injury caused, although he was in no way negligent. *Mansel* v. *Webb* (1918), 88 L. J. K. B. 323.

The principal case is significant in that the English courts have no compunction about confirming the extension of the application of a doctrine